

BEFORE THE DIVISION OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

---oo0oo---

IN THE MATTER OF CYPRUS
PLATEAU MINING COMPANY
PROPOSED WILLOW CREEK
MINE, CARBON COUNTY, UTAH

:
:

PUBLIC HEARING

CAUSE NO. PRO/007/038

---oo0oo---

THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE ABOVE-
ENTITLED MATTER.

Notice is hereby given that the Division of Oil, Gas and Mining ("Division"), State of Utah, will conduct a Public Hearing on Thursday, May 11, 1995, at 3:00 p.m. in the Carbon County Courthouse, Carbon County Commission Chambers, 120 East Main, Price, Utah.

The Public Hearing will be conducted in accordance with the Utah Code Ann. § 40-10-24(4)(c), and Utah Administrative Code Rule R645-103-234 (1995).

Pursuant to Utah Code Ann. § 40-10-24(4)(c), Cyprus Plateau Mining ("Cyprus") has requested a public hearing regarding their plan to conduct coal mining operations within 100 feet, measured horizontally, of the outside right-of-way line of a public road, Highway 191, in Willow Creek Canyon, Carbon County, Utah.

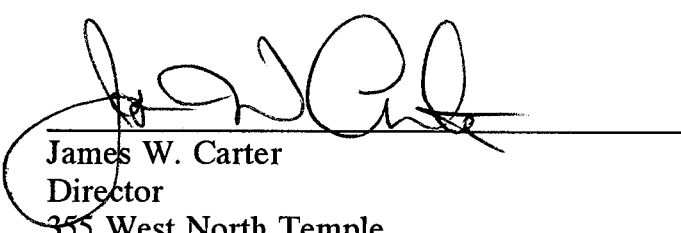
Persons interested in this matter may participate pursuant to Utah Administrative Code Rule R645-103-234. The request for public hearing, and any subsequent information, may be inspected in the office of the undersigned.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Janice Brown at 538-5340, at least three working days prior to the hearing date.

Page 2
Public Hearing
Cause No. PRO/007/038

DATED this 17th day of April, 1995.

STATE OF UTAH
DIVISION OF OIL, GAS AND MINING



James W. Carter
Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
(801) 538-5340



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

Public Hearing Sil
ACT 1007/038

April 17, 1995

Sun Advocate
Emery County Progress
76 West Main
P. O. Box 870
Price, Utah 84501

Gentlemen:

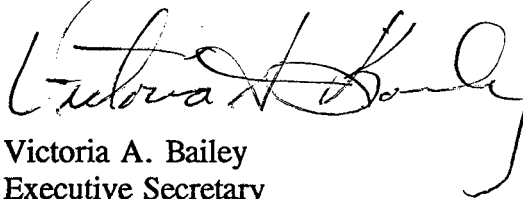
Re: Notice of Public Hearing

Attached is a notice of Public Hearing from the Division of Oil, Gas and Mining, Department of Natural Resources, State of Utah.

It is requested that this notice be published ONCE ONLY as soon as possible, but no later than Thursday the 27th day of April, 1995, in both the Sun Advocate and Emery County Progress. In the event that said notice cannot be published by this date, please notify me immediately by calling 538-5340.

Upon completion of this request, please send proof of publication and statement of cost to the Division of Oil, Gas and Mining, 355 West North Temple, 3 Triad Center, Suite 350, Salt Lake City, Utah 84180-1203.

Sincerely,



Victoria A. Bailey
Executive Secretary

vb
Attachment





State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

Public Hearing File
ACT/007/038

April 17, 1995

Newspaper Agency Corporation
Legal Advertising
143 South Main
P. O. Box 45838
Salt Lake City, Utah 84145

Gentlemen:

Re: Notice of Public Hearing

Attached is a notice of Public Hearing from the Division of Oil, Gas and Mining, Department of Natural Resources, State of Utah.

It is requested that this notice be published ONCE ONLY as soon as possible, but no later than Wednesday, the 26th day of April, 1995. In the event that said notice cannot be published by this date, please notify me immediately by calling 538-5340.

Upon completion of this request, please send proof of publication and statement of cost to the Division of Oil, Gas and Mining, 355 West North Temple, 3 Triad Center, Suite 350, Salt Lake City, Utah 84180-1203.

Sincerely,

Victoria A. Bailey
Executive Secretary

vb
Attachment



**CYPRUS PLATEAU MINING COMPANY
WILLOW CREEK MINE
PRO/007/038
(4-17-95)**

PUBLICATION OF NOTICE:

Newspaper Agency Corporation
Sun Advocate
Emery County Progress

Salt Lake City Office - Posted
Price Field Office - Posted
Carbon County Courthouse - Posted

CERTIFIED NOTICES SENT TO THE FOLLOWING:

Ben Grimes *Certified Return Receipt P 074 977 558*
Cyprus Plateau Mining Company
P. O. Drawer PMC
Price, Utah 84501

NOTICES MAILED TO THE FOLLOWING:

THOMAS E EHMETT ACTING DIR
ALBUQUERQUE FIELD OFFICE
OFFICE OF SURFACE MINING R & E
505 MARQUETTE NW STE 1200
ALBUQUERQUE NM 87102

RICHARD E DAWES CHIEF
DIV OF FEDERAL PRGMS
OFFICE OF SURFACE MINING
1999 BROADWAY STE 3320
DENVER CO 80202-5733

MARK BAILEY AREA MNGR
PRICE RIVER RESOURCE AREA
BUREAU OF LAND MNGMNT
P O BOX AB
PRICE UT 84501

ALAN RABINOFF CHIEF
MINING LAW 7 SOLID MNRLS
BUREAU OF LAND MNGMNT
P O BOX 45155
SALT LAKE CITY UT 84145-0155

ROBERT D WILLIAMS ASST FLD
SUP
U S FISH & WILDLIFE SERV
ECO SERV
LINCOLN PLAZA
145 E 1300 S STE 404
SALT LAKE CITY UT 84115

AARON HOWE ACTING FRST SUP
U S FOREST SERV
MANTI-LASAL NTNL FRST
599 W PRICE RIVER RD
PRICE UT 84501

ROBERT MORGAN STATE ENGR
UTAH DIV OF WATER RIGHTS
DEPT OF NATURAL RESOURCES
CAPITOL MAIL

BRENT BRADFORD DPTY DIR
OFFICE OF THE EX DIR
DEPT OF ENVIR QULTY
CAPITOL MAIL

ROBERT VALENTINE DIR
UTAH DIV OF WILDLIFE RESOURCES
CAPITOL MAIL

MAX J EVANS DIR
UTAH DIV OF STATE HISTORY
CAPITOL MAIL

SCOTT HIRSCHI DIR
SCOOL & INSTNL TRUST LNDS ADM
CAPITOL MAIL

BILL HOWELL EX DIR
SOUTHEASTERN UTAH ASSOC
OF LOCAL GVRNMNTS
P O BOX 297
PRICE UT 84501

DAVID LEVANGER
CARBON CNTY PLNNG & ZNG
120 E MAIN
PRICE UT 84501

BRYANT ANDERSON
EMERY CNTY PLNNG & ZONING
P O BOX 297
CASTLE DALE UT 84513

RONALD P PARKIN
STATE MINE INSPECTOR
INDUSTRIAL COMM OF UT
COLLEGE OF EASTERN UT
451 E 400 N
PRICE UT 84501

ALEX JORDAN
UTAH MINING ASSOC
KEARNS BLDG
136 S MAIN STE 825
SALT LAKE CITY UT 84101

RANDOLPH GAINER ENVR CHR
GENWAL RESOURCES INC
P O BOX 1420
HUNTINGTON UT 84528

CAROLYN B WRIGHT RESEARCH
ANALYST
OFFICE OF PLANNING & BUTGET
STATE PLANNING COORDINATOR
OFFICE
CAPITOL MAIL

MIKE SCHWINN DST ENGR
U S ARMY CORPS OF ENGINEERS
1403 S 600 W
BOUNTIFUL UT 84010

GARY L ROEDER
DISTRICT CONSERVATIONIST
U S SOIL CONSERVATION SERVICE
350 N 400 E
PRICE UT 84501

WILLIAM P YELLOWTAIL JR
REGIONAL ADMINISTRATOR
ENVIRONMENTAL PROTECTION
AGENCY
999 18TH ST
DENVER PL STE 500
DENVER CO 80202-2405

TED STEWART EX DIR
DEPARTMENT OF NATURAL
RESOURCES
BUILDING MAIL

DEPT OF TRANSPORTATION
PRICE DISTRICT
ROUTE 3 BOX 75C5
PRICE UT 84501-0903

DAVE D. LAURISKI CHAIRMAN
2115 E HUNTERS GLEN
LAYTON UT 840414

CYPRUS PLATEAU MINING COMPANY
WILLOW CREEK MINE
PRO/007/038

PUBLICATION OF NOTICE:

Newspaper Agency Corporation
Sun Advocate
Emery County Progress

Salt Lake City Office - Posted
Price Field Office - Posted
Carbon County Courthouse - Posted

CERTIFIED NOTICES SENT TO THE FOLLOWING:

Ben Grimes
Cyprus Plateau Mining Company
P. O. Drawer PMC
Price, Utah 84501

CERTIFIED NO. P. 074 977 558

NOTICES MAILED TO THE FOLLOWING:

THOMAS E EHMETT ACTING DIR
ALBUQUERQUE FIELD OFFICE
OFFICE OF SURFACE MINING R & E
505 MARQUETTE NW STE 1200
ALBUQUERQUE NM 87102

RICHARD E DAWES CHIEF
DIV OF FEDERAL PRGMS
OFFICE OF SURFACE MINING
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PRICE UT 84501

ALAN RABINOFF CHIEF
MINING LAW 7 SOLID MNRLS
BUREAU OF LAND MNGMNT
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TED STEWART EX DIR
DEPARTMENT OF NATURAL
RESOURCES
BUILDING MAIL

DEPT OF TRANSPORTATION
PRICE DISTRICT
ROUTE 3 BOX 75C5
PRICE UT 84501-0903

DAVE D. LAURISKI CHAIRMAN
2115 E HUNTERS GLEN
LAYTON UT 840414



Post-It™ Fax Note 7671		Date 4/6/95	# of Pages 2
To Pam Littig		From Ben Grimes	
Co./Dept.		Co.	
Phone #		Phone # 636-2227	
Fax #		Fax #	

April 4, 1995

Utah Coal Regulatory Program
Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

By Facsimile

Dear Ms. Littig,

RE: PUBLIC HEARING REQUEST - R645-103-234, PUBLIC ROAD
FOR PROPOSED WILLOW CREEK MINE

Copy Joe, Lowell
Copy to PRO/007/038 #2
Copy Aaron, ~~Ben Grimes~~, Pam
Bailey, (FAX)

This letter is a request to the Division to call a hearing to comply with R645-103-234. This regulation requires approval for conducting mining operations within 100 feet measured horizontally of the outside right-of-way line of a public road. The exception [40-10-24(4)(c)] provided in the aforementioned regulation states:

(4) After August 3, 1977, and subject to valid existing rights, no surface coal mining operations, except those which exist on that date, shall be permitted:

(c) Within 100 feet of the outside right-of-way line of any public road, except where mine access roads or haulage roads join this right-of-way line and except that the division may permit these roads to be relocated or the area affected to lie within 100 feet of the road, if after public notice and opportunity for public hearing in the locality a written finding is made that the interests of the public and the landowners affected thereby will be protected; or

Cyprus Plateau Mining Company is planning to conduct coal mining operations within 100 feet of the outside right-of-way line of Highway 191 in Willow Creek Canyon consisting of a Willow Creek Stream relocation section approximately 270 feet long, a Willow Creek Stream relocation section approximately 450 feet long, an office trailer building, and a section of mine access road approximately 750 feet long. In addition, three access roads joining the highway are planned, two for mine access and one ancillary road for access to mine water storage tanks.

Ben Grimes
Page 2
April 4, 1995

We request the hearing be held in Price as soon as practicable but, before May 15, 1995. After the hearing, the Division will make findings as per R645-103-234.400.

I have been discussing the new mine project with personnel from the UDOT office in Price for the past year. According to R645-103234.100 the applicant (Cyprus) is required "... to obtain necessary approvals from the authority with the jurisdiction over the public road." Driveway applications will be submitted to UDOT in the near future to cover the entrances to the mine site. These driveway permits will constitute the necessary UDOT approvals.

Please let me know as soon as possible what maps or plans are needed for the hearing.

Respectfully,

Ben Grimes
Project Manager

cc: J. Borla
G. Walker

File: WCENG 12.14
Chron: BG950403

143 SOUTH MAIN ST.
P.O. BOX 45838
SALT LAKE CITY, UTAH 84145
FED. TAX I.D. # 87-0217663

Newspaper Agency Corporation
The Salt Lake Tribune (NA) DESERET NEWS

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CUSTOMER'S
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PROOF OF PUBLICATION

CUSTOMER NAME AND ADDRESS	ACCOUNT NUMBER
DIV OF OIL, GAS & MINING 355 WEST NORTH TEMPLE 3 TRIAD CENTER #350 SLC, UT 84180	D5385340L-07 04/26/95

ACCOUNT NAME	
DIV OF OIL, GAS & MINING	
TELEPHONE	INVOICE NUMBER
801-538-5340	TL4K8201801
SCHEDULE	
START 04/26/95 END 04/26/95	
CUST. REF. NO.	

NOTICE OF HEARING

CAUSE NO. PRO/007/038
BEFORE THE DIVISION OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES, STATE OF UTAH
IN THE MATTER OF CYPRUS PLATEAU MINING COMPANY PRO-
POSED WILLOW CREEK MINE, CARBON COUNTY, UTAH.

THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE ABOVE
ENTITLED MATTER.

Notice is hereby given that the Board of Oil, Gas and Min-
ing ("Division"), State of Utah, will conduct a Public Hearing on
Thursday, May 11, 1995, at 3:00 p.m., in the Carbon County
Courthouse, Carbon County Commission Chambers, 120 East
Main, Price, Utah.

The Public Hearing will be conducted in accordance with
Utah Code Ann. ss 40-10-24(4)(c), and Utah Administrative Code
Rule R645-103-234 (1995).

Pursuant to Utah Code Ann. ss 40-10-24(4)(c), Cyprus Pla-
teau Mining ("Cypris") has requested a public hearing regard-
ing their plan to conduct coal mining operations within 100 feet,
measured horizontally, of the outside right-of-way line of a pub-
lic road, Highway 191, in Willow Creek Canyon, Carbon County,
Utah.

Persons interested in this matter may participate pursuant
to Utah Administrative Code Rule R645-103-234. The request for
public hearing, and any subsequent information, may be in-
spected in the office of the undersigned.

Pursuant to the Americans with Disabilities Act, persons re-
quiring auxiliary communicative aids and services to enable
them to participate in this hearing, should call Janice L. Brown at
538-5340, at least three working days prior to the hearing date.

DATED this 17th day of April, 1995.

STATE OF UTAH
DIV. OF OIL, GAS AND MINING

/s/ James W. Carter
Director
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
(801) 538-5340

4K820180

CAPTION	
NOTICE OF HEARING CAUSE NO. PRO	
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50 LINES	2.00 COLUMN
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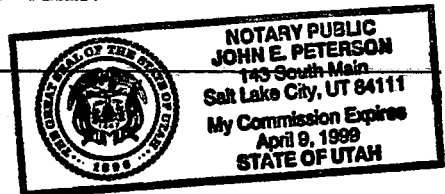
AFFIDAVIT OF PUBLICATION

Y CORPORATION LEGAL BOOKKEEPER, I CERTIFY THAT THE ATTACHED
NOTICE OF HEARING CAUSE NO. PRO FOR
GAS & MINING WAS PUBLISHED BY THE NEWSPAPER AGENCY
FOR THE SALT LAKE TRIBUNE AND DESERET NEWS, DAILY NEWSPAPERS
PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED
IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH.

PUBLISHED ON START 04/26/95 END 04/26/95

SIGNATURE

DATE 04/26/95



THIS IS NOT A STATEMENT BUT A "PROOF OF PUBLICATION"
PLEASE PAY FROM BILLING STATEMENT.

143 SOUTH MAIN ST.
P.O. BOX 45838
SALT LAKE CITY, UTAH 84145
FED. TAX I.D. # 87-0217663

1 Newspaper Agency Corporation
The Salt Lake Tribune (NA) DESERET NEWS

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CUSTOMER'S
COPY

PROOF OF PUBLICATION

CUSTOMER NAME AND ADDRESS		ACCOUNT NUMBER
DIV OF OIL, GAS & MINING 355 WEST NORTH TEMPLE 3 TRIAD CENTER #350 SLC, UT 84180		D5385340L-07 04/26/95
ACCOUNT NAME		
DIV OF OIL, GAS & MINING		
ONE	INVOICE NUMBER	
340	TL4K8201801	
SCHEDULE		
PART 04/26/95 END 04/26/95		
CUST. REF. NO.		
CAPTION		
NOTICE OF HEARINGCAUSE NO. PRO		
SIZE		
50 LINES 2.00 COLUMN		
TIMES	RATE	
1	1.64	
MISC. CHARGES	AD CHARGES	
.00	164.00	
TOTAL COST		
164.00		

OFFICE COPY

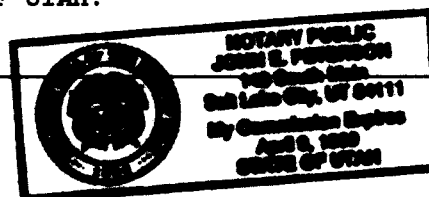
AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY CORPORATION LEGAL BOOKKEEPER, I CERTIFY THAT THE ATTACHED
ADVERTISEMENT OF NOTICE OF HEARINGCAUSE NO. PRO FOR
DIV OF OIL, GAS & MINING WAS PUBLISHED BY THE NEWSPAPER AGENCY
CORPORATION, AGENT FOR THE SALT LAKE TRIBUNE AND DESERET NEWS, DAILY NEWSPAPERS
PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED
IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH.

PUBLISHED ON START 04/26/95 END 04/26/95

SIGNATURE

DATE 04/26/95



THIS IS NOT A STATEMENT BUT A "PROOF OF PUBLICATION"
PLEASE PAY FROM BILLING STATEMENT.

BEFORE THE DIVISION OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

---ooOoo---

IN THE MATTER OF AMAX : NOTICE OF PUBLIC HEARING
COAL COMPANY, CASTLE :
GATE MINE, CARBON COUNTY : CAUSE NO. ACT/007/004-95B
UTAH :

---ooOoo---

THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE ABOVE-ENTITLED
MATTER.

Notice is hereby given that the Division of Oil, Gas and Mining will conduct a Public Hearing on Thursday, May 11, 1995, at 3:00 p.m. in the Carbon County Courthouse, Carbon County Commission Chambers, 120 East Main, Price, Utah. This Notice is supplemental to Cause No. PRO/007/038, Cyprus Plateau Mining Company's proposed Willow Creek Mine.

The Public Hearing will be conducted in accordance with the Utah Code Ann. § 40-10-24(4)(c), and Utah Administrative Code Rule R. 645-103-234 (1995).

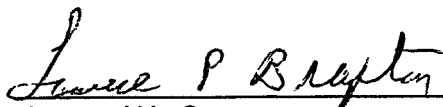
Pursuant to Utah Code Ann. § 40-10-24(4)(c), Amax Coal Company has requested a public hearing regarding their plan to conduct coal mining operations within 100 feet, measured horizontally, of the outside right-of-way line of a public road, Highway 191, in Willow Creek Canyon, Carbon County, Utah. This hearing will be held simultaneously with the Willow Creek Public Hearing, notice of April 17, 1995.

Persons interested in this matter may participate pursuant to Utah Administrative Code Rule R. 645-103-234. The request for public hearing, and any subsequent information, may be inspected in the office of the undersigned.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Janice Brown at 538-5340, at least three working days prior to the hearing date.

DATED the 27th day of April, 1995.

STATE OF UTAH
DIVISION OF OIL, GAS AND MINING



James W. Carter
Director



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

April 28, 1995

Sun Advocate
Emery County Progress
76 West Main
P. O. Box 870
Price, Utah 84501

Re: Notice of Public Hearing

Attached is a notice of Public Hearing from the Division of Oil, Gas and Mining, Department of Natural Resources, State of Utah.

It is requested that this notice be published ONCE ONLY as soon as possible, but no later than Thursday the 4th day of May, 1995, in both the Sun Advocate and Emery County Progress. In the event that said notice cannot be published by this date, please notify me immediately by calling 538-5340.

Upon completion of this request, please send proof of publication and statement of cost to the Division of Oil, Gas and Mining, 355 West North Temple, 3 Triad Center, Suite 350, Salt Lake City, Utah 84180-1203.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Victoria A. Bailey'.

Victoria A. Bailey
Executive Secretary

vb
Attachment



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

April 28, 1995

Newspaper Agency Corporation
Legal Advertising
143 South Main
P. O. Box 45838
Salt Lake City, Utah 84145

Re: Notice of Public Hearing

Attached is a notice of Public Hearing from the Division of Oil, Gas and Mining, Department of Natural Resources, State of Utah.

It is requested that this notice be published ONCE ONLY as soon as possible, but no later than Wednesday, the 3rd day of May, 1995. In the event that said notice cannot be published by this date, please notify me immediately by calling 538-5340.

Upon completion of this request, please send proof of publication and statement of cost to the Division of Oil, Gas and Mining, 355 West North Temple, 3 Triad Center, Suite 350, Salt Lake City, Utah 84180-1203.

Sincerely,

Victoria A. Bailey
Executive Secretary

vb
Attachment



BEFORE THE DIVISION OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

---ooOoo---

IN THE MATTER OF CYPRUS	:	FINDINGS
PLATEAU MINING COMPANY,		
PROPOSED WILLOW CREEK	:	CAUSE NO. PRO/007/038
MINE, AND AMAX COAL COMPANY,	:	CAUSE NO. ACT/007/004-95B
CASTLE GATE MINE, CARBON	:	
COUNTY, UTAH		

---ooOoo---

On May 11, 1995, a public hearing was held before Lowell P. Braxton, Division of Oil, Gas and Mining, Department of Natural Resources, in accordance with Utah Admin. R. 645-103-234 and Utah Code Ann. § 40-10-24(4)(c) at the Carbon County Courthouse, Price, Utah.

The hearing was requested by Cyprus Plateau Mining Company and AMAX Coal Company to seek public comment in the matter of conducting mining operations within 100 feet of the outside right-of-way of Highway 191 in Willow Creek Canyon, as documented in permit applications designated PRO/007/038 and ACT/007/004-95B, respectively.

Notice of the public hearing was appropriately given and a stenographic record was made by a registered professional reporter.

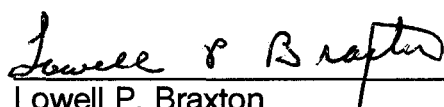
The hearing commenced at 3:00 p.m. and concluded at 4:02 p.m.

No comments regarding conduct of mining within 100 feet of Highway 191 were made at the hearing.

Based on appropriate notice and lack of adverse public comment, the Division finds that the interests of the public and affected landowners will be protected from the mining activities proposed to take place within 100 feet of the outside right-of-way of Highway 191.

DATED this 6th day of July, 1995.

STATE OF UTAH
DIVISION OF OIL, GAS AND MINING



Lowell P. Braxton
Associate Director, Mining

cc: Per 5-17-95 JDB

BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
IN AND FOR THE STATE OF UTAH

IN THE MATTER OF CYPRUS)
PLATEAU MINING COMPANY PROPOSED)
WILLOW CREEK MINE, CARBON) CAUSE NO. PRO/007/038
COUNTY, UTAH)
_____)

THURSDAY, MAY 11, 1995, COMMENCING AT THE HOUR OF 3:00
P.M., A PUBLIC HEARING WAS HELD IN THE ABOVE MATTER BEFORE
LOWELL P. BRAXTON, DEPARTMENT OF NATURAL RESOURCES,
DIVISION OF OIL, GAS, AND MINING, AT THE CARBON COUNTY
COURTHOUSE, PRICE, UTAH.

INTERMOUNTAIN COURT REPORTERS
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Murray, Utah 84107
801 263-1396

FILE NO. 51195

REPORTED BY:
DANA M. MORSE, CSR, RPR

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APPEARANCES:

FOR THE DIVISION OF
OIL, GAS & MINING:

LOWELL P. BRAXTON
Department of Natural Resources
Division of Oil, Gas and Mining
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

1 PRICE, UTAH, THURSDAY, MAY 11, 1995, 3:00 P.M.

2 P R O C E E D I N G S

3 MR. BRAXTON: This is a public hearing that
4 addresses two causes. The first is Cause No.
5 ACT/007/004-95B. This is in the matter of Amax Coal
6 Company, Castle Gate Mine, Carbon County, Utah.

7 The opportunity here is for public comment, and we
8 are accepting public comment in response to Amax Coal
9 Company's request for a public hearing to address their
10 plan to conduct coal mining operations within 100 feet
11 measured horizontally of the outside right-of-way line
12 of a public road. The road in this case is Highway 191
13 in Willow Creek Canyon, Carbon County, Utah.

14 We are also holding a hearing under Cause No.
15 PRO/007/038. The issue is identical to the one that I
16 just noticed. We're going to accept public comments
17 again on Cyprus Plateau Mining Company's request for a
18 public hearing. The issue again is their intent to
19 conduct coal mining operations within 100 feet measured
20 horizontally of the outside right-of-way line of a
21 public road. This is again Highway 191 in Willow Creek
22 Canyon, Carbon County, Utah.

23 What I would ask is that any of you that have
24 comments state your name, your address and your
25 affiliation for the record, and then read the comments

1 or give your comments to us. Is there anybody that
2 would like to offer to go first? Thank you.

3 MR. GRIMES: No. I'm just making a record of the
4 whole project.

5 MR. BRAXTON: So we have an audience but nobody that
6 wishes to provide comment. I think what we want to do
7 then is go off the record for the moment and I will keep
8 this public hearing open until 4 o'clock and if there
9 are no comments before 4 o'clock we will close the
10 hearing. I want to thank everybody for coming and we'll
11 just go off the record at this time.

12 (Whereupon a recess was taken.)

13 MR. BRAXTON: It's now 4 o'clock on 5-11-95, an
14 opportunity for public comment has been given. There
15 were approximately eight persons attending the hearing,
16 none of them wished to comment and so at that juncture
17 -- or at this juncture I'm going to close the hearing.

18 (Whereupon the hearing was concluded at 4:02 pm.)
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1 STATE OF UTAH)
2) ss.
3 COUNTY OF SALT LAKE)


4 I, DANA MARIE MORSE, a Certified Shorthand Reporter,
5 Registered Professional Reporter, and Notary Public
6 within and for the county of Salt Lake, State of Utah do
7 hereby certify:

8 That the above hearing was taken before me pursuant
9 to notice at the time and place therein set forth.

10 That all objections made and all proceedings had at
11 the time of the hearing were recorded stenographically
12 by me and were thereafter transcribed, and I hereby
13 certify that the foregoing transcript is a full, true,
14 and correct record of my stenographic notes so taken;

15 I further certify that I am neither counsel for or
16 related to any party to said action in anywise
17 interested in the outcome thereof.

18 IN WITNESS WHEREOF, I have subscribed my name this
19 12th day of May 1995.

20 
21 DANA MARIE MORSE
22 Certified Shorthand Reporter,
23 Registered Professional Reporter,
24 and Notary Public in and for the
25 County of Salt Lake, State of Utah.

My Commission Expires:
June 13, 1998

